

REMARKS

Claims 1-21 and 23 are pending in this application. By this Amendment, claim 22 is canceled without prejudice to or disclaimer of the subject matter recited therein.

I. Claim Rejections Under 35 U.S.C. §101

Claim 22 is rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. As claim 22 is canceled the rejection of that claim is moot.

II. Claim Rejections Under 35 U.S.C. §102

Claims 1-5, 10-14, 19 and 21-23 are rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent 6,031,630 to Blair et al. (Blair). As claim 22 is canceled the rejection of that claim is moot. The rejection of claims 1-5, 10-14, 19 and 23 is respectfully traversed.

Applicants respectfully submit that the primary reference of Blair cannot be used as a basis for forming the rejection of any of the rejected claims because the subject matter of this application was invented prior to the May 5, 1998 effective filing date of Blair, as stated in the attached Declaration Under 37 C.F.R. §1.131.

Because Blair does not qualify as prior art under 35 U.S.C. §102(e), withdrawal of the rejection of claims 1-5, 10-14, 19, 21 and 23 is respectfully requested.

III. Claim Rejections Under 35 U.S.C. §103

Claims 6-9, 15-18 and 20 are rejected under 35 U.S.C. §103(a) as unpatentable over Blair in view of U.S. Patent 5,731,823 to Miller. The rejection is respectfully traversed.

Because the primary reference in Blair is not available as prior art, the rejection of claims 6-9, 15-18 and 20 under a combination of Blair and Miller cannot be maintained.

Moreover, Miller is silent regarding overmarking or undercolor reduction. Rather, Miller merely pertains to optimizing controllable parameters relating to producing printed material on a hardcopy output device (col. 1, lines 8-10). Miller pertains more specifically to

optimizing color matching between the colors displayed on a CRT monitor and a printed hardcopy of that image (see for example, col. 3, line 35 – col. 4, line 60 of Miller).

Miller also discloses that rasterizing may be conducted in a variety of conventional manners known to those skilled in the art, such as choosing a resolution which yields a selected optimum balance of throughput and print quality (col. 5, lines 35-39). Although Miller discloses that statistics may be collected regarding a selected image that includes recording in which black objects touch color objects, Miller discloses only obtaining such statistics for use in "bleed control" (col. 6, lines 38-47). For example, Miller discloses that if black to color bleed control is to be handled on an object by object basis, then black objects that touch color or fall within color regions may have colors modified by step 92. In this case, step 92 ensures the images are printed with the correct combination of CMYK to provide a good quality black without bleeding into the "process black" of the color regions (col. 7, lines 35-45). Thus, Miller is silent regarding performing raster image processing to create a raster image of the color image, the raster image processing including overmarking processing that allows both the at least one first color and the second color to be separately included in the overmarked pixels in the same raster image, and modify an image data of the overmarked pixels in the raster image to achieve undercolor reduction by reducing a value corresponding to a reduced amount of underlying marking material.

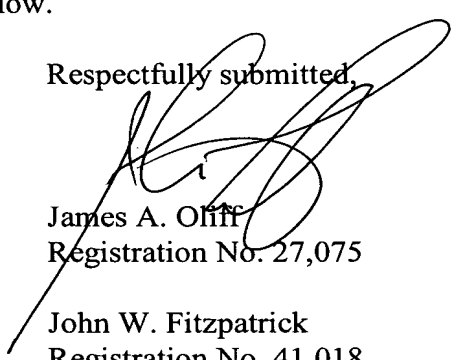
As Blair is not available as prior art and Miller fails to disclose each and every feature recited in the rejected claims, withdrawal of the rejection of claims 6-9, 15-18 and 20 under 35 U.S.C. §103(a) is respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-21 and 23 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Declaration Under 37 C.F.R. §1.131 (2 copies)
Exhibit

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